

Appl. No. 09/628,479  
Amended dated September 30, 2004  
Reply to Office Action of September 10, 2004

### **REMARKS**

This amendment is responsive to the Office Action dated September 10, 2004. Applicant has cancelled claims 20-30 and 32, and amended claims 31 and 33. Claims 1, 3-6, 8-13, 15-16, 18, 19, 31, and 33 are pending upon entry of this amendment. No new issues have been raised by way of this amendment, and entry of the amendment places the claims in a condition for allowance.

### **Allowable Subject Matter**

In the Office Action, the Examiner indicated that claims 1, 3-6, 8-13, 15, 16, 18 and 19 are allowable in their present form.

### **Claim Rejection Under 35 U.S.C. § 101**

In the Office Action, the Examiner rejected claims 20-30 under 35 U.S.C. 101 stating that the claimed invention is directed to non-statutory subject matter. To expedite prosecution, Applicant has cancelled claims 20-30, but this action should not be construed as agreement with the Examiner's position. To the contrary, Applicant traverses the rejection, and reserves the right to pursue the subject matter of claims 20-30 in one or more continuation applications.

### **Claim Rejection Under 35 U.S.C. § 102**

In the Office Action, the Examiner rejected claims 31-33 under 35 U.S.C. 102(b) as being anticipated by Wainscott et al. (WO 96/30852). Applicant has cancelled claim 32, and amended claim 31 to include elements indicated by the Examiner as not taught or suggested by the prior art. Consequently, claims 31 and 33 are in a condition for allowance, and withdrawal of this rejection is requested.

Appl. No. 09/628,479  
Amd dated September 30, 2004  
Reply to Office Action of September 10, 2004

### CONCLUSION

All claims in this application are in condition for allowance. Applicant respectfully requests reconsideration and prompt allowance of all pending claims. Please charge any additional fees or credit any overpayment to deposit account number 50-1778. The Examiner is invited to telephone the below-signed attorney to discuss this application.

Date:

By:

September 30, 2004  
SHUMAKER & SIEFFERT, P.A.  
8425 Seasons Parkway, Suite 105  
St. Paul, Minnesota 55125  
Telephone: 651.735.1100  
Facsimile: 651.735.1102

Kent J. Sieffert  
Name: Kent J. Sieffert  
Reg. No.: 41,312